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GOOGLE INC.

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

15 ORACLE AMERICA, INC.,

Case No. 3:10-cv-03561 WHA

16 Plaintiffs,

**GOOGLE INC.'S RESPONSE RE
ADMINISTRATIVE MOTIONS TO SEAL
MATERIAL IN DR. KEARL'S REPORT**

17 v.

18 GOOGLE INC.,

19 Defendant.

Dept. Courtroom 8, 19th Fl.
Judge: Hon. William Alsup

In an effort to resolve disputes and reduce the amount of sealed material, Google withdraws its request to seal the damages opinion numbers in the Report of the court-appointed Rule 706 Expert, Dr. Kearl. *See e.g.* ECF Nos. 1583, 1596, and 1623. Google also withdraws its request to seal any numbers or figures that are derived from the Kim model, such as the diversion ratio. In addition, Google will not seek to seal Dr. Kearl’s damages opinion numbers in the Rule 706 Expert related responses and Oracle’s MIL number 7 filed on April 8, 2016, *see* ECF 1619, 1621, 1622, 1625. Google maintains its request to seal non-public financial data, such as highly sensitive financial data related to Android.

However, in so doing Google states that Oracle is wrong to suggest that somehow Google's previous request to seal was an attempt to manipulate a jury pool by sealing larger numbers -- indeed, Google has not sought to seal the largest damages number disclosed in the expert reports -- Oracle's number for disgorgement of profits.

Dated: April 12, 2016

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By: /s/ Robert A. Van Nest
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